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**U.S. District Court  
Southern District of California (San Diego)  
CIVIL DOCKET FOR CASE #: 3:10-cv-01252-BEN -NLS**

Palomar Medical Center v. U.S. Department of Health of Human Services	Date Filed: 06/11/2010
Assigned to: Judge Roger T. Benitez	Date Terminated: 12/19/2011
Referred to: Magistrate Judge Nita L. Stormes	Jury Demand: None
Cause: 05:552 Freedom of Information Act	Nature of Suit: 895 Freedom of Information Act
	Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Palomar Medical Center**

555 East Valley Parkway, Escondido, CA  
92025

represented by **Dick A Semerdjian**

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V.

**Defendant**

**U.S. Department of Health and Human Services**

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represented by **Katherine Lind Parker**

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**ATTORNEY TO BE NOTICED**

**Miscellaneous Party**

**US Attorney for So District of Cal**

*US Attorney Southern District*

Date Filed	#	Docket Text
06/11/2010	<a href="#"><u>1</u></a>	COMPLAINT against U.S. Department of Health and Human Services ( Filing fee \$ 350 receipt number 14514.), filed by Palomar Medical Center.(cge) (Entered: 06/11/2010)
06/11/2010	<a href="#"><u>2</u></a>	Summons Issued as to U.S. Department of Health and Human Services. (jpp) (Entered: 06/11/2010)
06/11/2010	<a href="#"><u>3</u></a>	NOTICE OF RELATED CASE(S) by Palomar Medical Center of case(s) 3:09-cv-00605 (Semerdjian, Dick) Modified on 6/14/2010 to reflect low number order prepared 06/11/10. (jpp). (Entered: 06/11/2010)
06/18/2010	<a href="#"><u>4</u></a>	NOTICE by Palomar Medical Center <i>Plaintiff's Notice of Party with Financial Interest</i> (Semerdjian, Dick) (knh). (Entered: 06/18/2010)
06/18/2010	<a href="#"><u>5</u></a>	ORDER OF TRANSFER PURSUANT TO LOW NUMBER RULE. Case reassigned to Judge Roger T. Benitez for all further proceedings. Judge John A. Houston no longer assigned to case.Create association to 3:09-cv-00605-BEN-NLS. The new case number is 10cv1252-BEN-NLS. Signed by Judge Roger T. Benitez on 6/16/2010. Signed by Judge John A. Houston on 6/16/2010.(knh) (jrl). (Entered: 06/21/2010)

06/22/2010	<a href="#"><u>6</u></a>	PRO HAC VICE APPOINTED: Ronald Shreve Connelly appearing for Plaintiff Palomar Medical Center. (leh) (Entered: 06/22/2010)
07/02/2010	<a href="#"><u>7</u></a>	SUMMONS Returned Executed by Palomar Medical Center. US Attorney for So District of Cal served on 6/15/2010, answer due 7/6/2010. (Semerdjian, Dick) (knh). (Entered: 07/02/2010)
07/02/2010	<a href="#"><u>8</u></a>	SUMMONS Returned Executed by Palomar Medical Center. All Defendants. (Semerdjian, Dick) (knh). (Entered: 07/02/2010)
07/15/2010	<a href="#"><u>9</u></a>	ANSWER to <a href="#"><u>1</u></a> Complaint by U.S. Department of Health and Human Services. (Attachments: # <a href="#"><u>1</u></a> Proof of Service)(Parker, Katherine) (knh). (Entered: 07/15/2010)
07/19/2010	<a href="#"><u>10</u></a>	NOTICE AND ORDER Setting Early Neutral Evaluation Conference: Early Neutral Evaluation set for 8/31/2010 02:30 PM before Magistrate Judge Nita L. Stormes. Signed by Magistrate Judge Nita L. Stormes on 7/19/2010.(knh)(jrl). (Entered: 07/19/2010)
08/09/2010	<a href="#"><u>11</u></a>	Ex Parte MOTION for Leave to Appear TELEPHONICALLY <i>at Early Neutral Evaluation Conference</i> by Palomar Medical Center. (Attachments: # <a href="#"><u>1</u></a> Proof of Service)(Semerdjian, Dick)(knh). (Entered: 08/09/2010)
08/13/2010	<a href="#"><u>12</u></a>	ORDER Granting Plaintiff's <a href="#"><u>11</u></a> Ex Parte Motion to Appear Telephonically at Early Neutral Evaluation Conference. Signed by Magistrate Judge Nita L. Stormes on 8/13/2010. (knh) (jrl). (Entered: 08/13/2010)
09/01/2010	<a href="#"><u>13</u></a>	Minute Entry for proceedings held before Magistrate Judge Nita L. Stormes: Early Neutral Evaluation Conference held on 8/31/2010. (Plaintiff Attorney Dick Semerdjian). (Defendant Attorney Katherine Parker). Case did not settle. Order to issue. (ecp) (Entered: 09/01/2010)
09/01/2010	<a href="#"><u>14</u></a>	ORDER Following Early Neutral Evaluation and Setting Telephonic Status Conference: The court held an Early Neutral Evaluation on August 31, 2010. The court sets a telephonic status conference with counsel only for December 3, 2010 at 10:00 a.m. Signed by Magistrate Judge Nita L. Stormes on 9/1/2010.(knh)(mam). (Entered: 09/01/2010)
10/01/2010	<a href="#"><u>15</u></a>	DECLARATION of <i>Robert Eckert</i> by Defendant U.S. Department of Health and Human Services. (Attachments: # <a href="#"><u>1</u></a> Proof of Service)(Parker, Katherine) (knh). (Entered: 10/01/2010)
10/01/2010	<a href="#"><u>16</u></a>	DECLARATION of <i>Katherine L. Parker</i> by Defendant U.S. Department of Health and Human Services. (Attachments: # <a href="#"><u>1</u></a> Proof of Service)(Parker, Katherine) (knh). (Entered: 10/01/2010)

10/04/2010	<a href="#">17</a>	AMENDED DOCUMENT by U.S. Department of Health and Human Services. Amendment to <a href="#">15</a> Declaration of Robert Eckert (attaching missing exhibit). (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Proof of Service)(Parker, Katherine) (knh). (Entered: 10/04/2010)
11/17/2010	18	ORDER: The time of the telephonic status conference set for December 3, 2010 is ADVANCED from 10:00 a.m. to 9:30 a.m. (ecp) (Entered: 11/17/2010)
11/29/2010	<a href="#">19</a>	Joint MOTION to Modify September 1, 2010 Order re <a href="#">14</a> Order by U.S. Department of Health and Human Services. (Attachments: # <a href="#">1</a> Proof of Service)(Parker, Katherine) (knh) (Entered: 11/29/2010)
11/29/2010	<a href="#">20</a>	ORDER Granting <a href="#">19</a> Joint Motion to Amend September 1, 2010 Scheduling Order and Resetting Status Conference. The Court vacates the December 3, 2010 telephonic case management conference and resets it for February 2, 2011 at 10:00 a.m. Signed by Magistrate Judge Nita L. Stormes on 11/29/2010. (knh) (jrl). (Entered: 11/29/2010)
02/02/2011	<a href="#">21</a>	ORDER: A telephonic Status Conference was held. A further telephonic Status Conference and Case Management Conference is set for 3/18/2011 at 10:00 AM before Magistrate Judge Nita L. Stormes. Signed by Magistrate Judge Nita L. Stormes on 02/02/2011.(ag) (mam). (Entered: 02/02/2011)
03/18/2011	22	Minute Entry for proceedings held before Magistrate Judge Nita L. Stormes: Case Management Conference held on 3/18/2011, Status Conference re Status held on 3/18/2011. Order to issue.(Plaintiff Attorney Dick Semerdjian, Ron Connolly). (Defendant Attorney Katie Parker). (ccf) (Entered: 03/18/2011)
03/18/2011	<a href="#">23</a>	SCHEDULING ORDER Regulating Discovery and Other Pre-Trial Proceedings: A Case Management Conference was held on March 18, 2011. Memorandum of Contentions of Fact and Law due by 9/26/2011. Proposed Pretrial Order due by 10/17/2011. Final Pretrial Conference set for 10/24/2011 10:30 AM in Courtroom 03 before Judge Roger T. Benitez. Signed by Magistrate Judge Nita L. Stormes on 3/18/2011.(knh)(jrd). (Entered: 03/18/2011)
09/23/2011	<a href="#">24</a>	Joint MOTION to Vacate Trial and Pretrial Dates by U.S. Department of Health and Human Services. (Attachments: # <a href="#">1</a> Proof of Service)(Parker, Katherine) (knb). (Entered: 09/23/2011)
09/30/2011	<a href="#">25</a>	ORDER Granting <a href="#">24</a> Motion to Vacate Pretrial and Trial Dates and Setting Deadline to Dismiss or File Motion for Attorney's Fees. All remaining dates in the Scheduling Order, including the October 24, 2011 Pretrial Conference, are hereby vacated. The parties shall file a joint motion to dismiss the case or a motion for attorneys' fees on or before November 14, 2011. Signed by Judge Roger T. Benitez on 9/29/2011. (knb) (jrl). (Entered: 09/30/2011)

		<i>Attorneys' Fees</i> by U.S. Department of Health and Human Services. (Attachments: # <a href="#">1</a> Proof of Service)(Parker, Katherine) (knb). (Entered: 11/10/2011)
11/14/2011	<a href="#">27</a>	ORDER Granting <a href="#">26</a> Motion for Extension of Time to File Joint Motion to Dismiss or Motion for Attorney's Fees. The parties shall have until December 29, 2011 to file. Signed by Judge Roger T. Benitez on 11/14/2011. (knb) (jcj). (Entered: 11/14/2011)
12/13/2011	<a href="#">28</a>	Joint MOTION to Dismiss by Palomar Medical Center. (Attachments: # <a href="#">1</a> Proof of Service)(Connelly, Ronald) (knb). (Entered: 12/13/2011)
12/19/2011	<a href="#">29</a>	ORDER granting <a href="#">28</a> Joint Motion to Dismiss With Prejudice. Signed by Judge Roger T. Benitez on 12/19/2011. (leh)(av1). (Entered: 12/19/2011)

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